

Received & Inspected

AUG 30 2010

FCC Mail Room

**VIA UPS OVERNIGHT DELIVERY**

August 26, 2010

Marlene Dortch, Secretary  
Federal Communications Commission  
ATTN: RODNEY MCDONALD  
445 12th Street, S.W.  
Washington, D.C. 20554

2010 AUG 31 PM 5:12  
RECEIVED

**Re: Section 63.71 Application of Cypress Communications Operating Company, LLC**  
Before the Federal Communications Commission

Dear Mr. McDonald:

I represent Cypress Communications Operating Company, LLC (Cypress). This letter shall serve as an Amendment to the Section 63.71 Application that I delivered to your office on August 4, 2010 for filing on behalf of Cypress. You identified two items in Cypress' Section 63.71 Application that require revision. The first is the omission of Cypress' address in the letters notifying Cypress customers that Cypress will discontinue service. This has been corrected by adding Cypress' address to the signature block at the letter's close, and by adding it to the confirmation that Cypress asks the customer to return via facsimile to Cypress. The second item you identified is a lack of clarity in the notices as to whether or not all, or only some, of the services Cypress currently provides to the customer will be discontinued. This has been made clear by adding a sentence which states, "Each and every service that Cypress currently provides to you will be discontinued", in the body of the first paragraph of the notice. Additionally, the confirmation that the customer returns to Cypress has been revised to read "...Cypress Communications Operating Company, LLC will discontinue each and every service that Cypress currently provides...". Notices with these revisions were sent on August 26, 2010 to the customers referenced in Cypress' Section 63.71 Application. A sample copy of the revised notices is attached hereto as Exhibit "A".

Enclosed herewith are an original and six (6) copies of this Amendment to the above-captioned application for authority to discontinue the provision of domestic telecommunications services to the Pennsylvania customers.

I understand that the deadline for issuing a public notice regarding this application is Friday, September 3, 2010. If the above mentioned revisions are acceptable to the

commission, applicant respectfully requests that the Commission issue the public notice by September 3. If further revisions are necessary, please advise me of same as soon as possible so that I may submit them in time to meet the September 3<sup>rd</sup> deadline.

Please date-stamp the enclosed extra copy of this filing and return it in the envelope provided. Should you have any questions with respect to this matter, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Randy L. New', with a long horizontal flourish extending to the right.

Randy L. New

*Attorney for Cypress Communications Operating Company LLC*

randy.new@knclawfirm.com

Enclosure

cc: John A. Harwood, Vice President and General Counsel, Cypress Communications  
Secretary of Defense, ATTN: Special Assistant for Telecommunications  
Hon. Edward G. Rendell, Governor, Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission, ATTN: Secretary's Bureau

**Via Certified Mail, Return Receipt Requested**

August 26, 2010

Ratner & Prestia PC  
Attn: Barbara Foley  
1235 Westlakes Drive, Suite 301  
Berwyn, PA 19312

RE: Account # P15005542

Dear Ms. Foley:

Kitchens New Cleghorn, LLC represents Cypress Communications Operating Company, LLC. You recently received a letter from Cypress dated August 4, 2010 notifying you that Cypress will discontinue the services it provides to you. Please disregard that letter. Enclosed herewith is a new, revised letter notifying you about the loss of your local telephone service as provided by our client. Please carefully read this new, revised notice and follow its instructions.

This new, revised notice enclosed herewith constitutes the notice as required by law.

Sincerely,

  
Timothy Goff  
Paralegal

Enclosures

cc: Hunter Axelrod (via email to [haxelrod@cypresscom.net](mailto:haxelrod@cypresscom.net))  
Ann Jackson (via email to [anjackson@cypresscom.net](mailto:anjackson@cypresscom.net))

EXHIBIT A  
1 OF 4 PAGES

**‘Important Notice, Loss of Local Telephone Service’**

**Via Certified Mail, Return Receipt Requested**

August 26, 2010

Ratner & Prestia PC  
Attn: Barbara Foley  
1235 Westlakes Drive, Suite 301  
Berwyn, PA 19312

RE: Account # P15005542

Dear Ms. Foley:

This is an **important** notice about the loss of your local telephone service. This will serve as formal notification that Cypress Communications Operating Company, LLC (“Cypress”) is preparing to discontinue all services at Ratner & Prestia PC, 1235 Westlakes Drive, Suite 301, Berwyn, PA 19312. At this time, Cypress provides you with local telephone service including voice and data services. As of **October 26, 2010**, Cypress will no longer provide your local telephone service and you must take action. Each and every service that Cypress currently provides to you will be discontinued. To prevent the loss of your local telephone service, you must select another local telephone service provider on or before **October 16, 2010**. If you act by this date, there will be enough time for the new local service provider you choose to start your new service before your current service ends. We fully understand the inconvenience this may cause you: Please know that we did not make this decision lightly.

It has been our experience that a complete transition to new service provider(s) including ordering local telephone lines, the purchase or lease of telephone equipment, or the ordering of Internet access services, may take 30 days. Therefore, we encourage you to immediately begin your transition plans at this time. Please remember that customers may choose the provider of their local telephone service. You may select any company that is offering service in your area. There is information regarding alternative telephone service providers available in your telephone directory yellow pages under the heading “telephone service providers” or in the front of the directory labeled “other local phone companies”. **All services must be transitioned by October 26, 2010.** As a valued customer, we want to do everything within reason to help you accomplish a smooth transition to alternative service providers of your choice

***Please take a moment to review and sign the attached form  
and return via fax to (404) 812-7882 by October 26, 2010.***

Pursuant to FCC regulations, we are required to include the following statement:

The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days

EXHIBIT A  
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after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the Sec. 63.71 Application of Cypress Communications Operating Company, LLC. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

We regret any inconvenience this may cause you. If you have any questions, please contact Hunter Axelrod at (404) 442-0749 or toll-free (888) 528-1788. Thank you for your prompt attention to this matter.

Regards,

Cypress Communications Operating Company, LLC  
3565 Piedmont Road  
Four Piedmont Center, Suite 600  
Atlanta, GA 30305

CC: Hunter Axelrod (via email to [haxelrod@cypresscom.net](mailto:haxelrod@cypresscom.net))  
Ann Jackson (via email to [anjackson@cypresscom.net](mailto:anjackson@cypresscom.net))

EXHIBIT A  
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**PLEASE REpond BY October 26, 2010.**

**TO:** Cypress Terminations  
Cypress Communications Operating Company, LLC  
3565 Piedmont Road  
Four Piedmont Center, Suite 600  
Atlanta, GA 30305

**FAX:** (404) 812-7837

**FROM:** Ratner & Prestia PC  
Attn: Barbara Foley  
1235 Westlakes Drive, Suite 301  
Berwyn, PA 19312

**DATE:** \_\_\_\_\_

**RE:** Account # P15005542

I understand that effective **October 26, 2010**, Cypress Communications Operating Company, LLC will discontinue each and every service that Cypress currently provides at Ratner & Prestia PC, 1235 Westlakes Drive, Suite 301, Berwyn, PA 19312, Account # P15005542, and that it is my responsibility to ensure that my company's services are transferred to an alternate service provider in order to avoid a service interruption.

If I move my services prior to the termination date, I understand that it is my responsibility to notify [terminations@cypresscom.net](mailto:terminations@cypresscom.net) to ensure that my account is closed properly. Failure to do so could result in my being billed through October 26, 2010.

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Phone/ email

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

EXHIBIT A  
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